

Ricoh Company, Ltd.
2446 Toda
Atsugi, Kanagawa 243 Japan

Received

MAR 19 1999

Common Carrier Bureau
Network Service Division
Office of the Chief

March 16, 1999

File No. NSD-L-99-13

Ms. Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
TW-A325
Washington, D.C. 20554.

RECEIVED

APR - 2 1999

Federal Communications Commission
Office of Secretary

Dear Ms. Salas,

Please file the following comment.

CC DOCKET: 96-28

Our comment:

We cannot agree with the idea of re-registration enforcement.
We hope FCC68.2 (j)(3) statement should be changed or extracted.

Reason:

Even if new regulation is established, it should not be applied to the machines already approved. Any terminal equipment that has been approved once should not be put under inexperienced circumstances every time when FCC68 is revised. New regulation should be applied to new machines only.

This change forces manufacturers, like Ricoh, to pay much labor and money to change software of all facsimiles previously approved. It may make the U.S. market even complicated, because products with different software though products name is the same, will exist.

Sincerely Yours,

Naf Tatsat

for Kazuhiro Sato
E-mail: satou@toda.ricoh.co.jp
Manager
Products Safety Center
CS. QM Division
Ricoh Company Ltd.

No. of Copies rec'd

List A B C D E

2

Received

RICOH®

RICOH CORPORATION
3001 Orchard Parkway
San Jose, CA 95134-2088
Phone: 408-432-8800
Fax: 408-432-8372

MAR 19 1999

Common Carrier Bureau
Network Service Division
Office of the Chief

March 5, 1999

Network Services Division
Common Carrier Bureau
Federal Communication Commission
Washington D. C.

Attention: Mr. David O. Ward, FCC 68 Administrator

Reference: NSD-L-99-13

Subject: Comments on 47 C.F.R., FCC68.2. (j) (3)

Dear Mr. Ward:

Thank you very much for providing the opportunity for us to make comments on the subject matter.

As a facsimile manufacturer for nearly 25 years, Ricoh have been making the best efforts to comply with the FCC68 requirements. However, we found it very difficult to understand the requirement of FCC68.2. (j) (3), therefore, we have not taken any action on the older models up to now. The following is a list of our comments that Ricoh wants you to take into consideration.

1. Exemption for the previously registered equipment:

Ricoh believes that all the new FCC 68 requirements do not deal with the serious issues that requires re-registration for the previously registered equipment. Please rewrite the second sentence of (j) (3) to clarify the point.

2. Postponement of 5/19/99:

If you can't accept our comment (1) above, then we must request that you postpone the date May 19, 1999 to January 1, 2001, the first day of the 21st century. There is not enough time by 5/19/99 for all of us to do anything but clarifying the requirement of (j) (3).

3. Better wording for "New installation" :

The word "New installation" implies that the FCC wants manufacturers to modify all the

RICOH
We respond.

Page 2 of 2
March 5, 1999
Mr. David O. Ward

equipment in our warehouse, if applicable. Does FCC really means that? It costs manufacturers to implement engineering changes even at the manufacturing location. It will be a tremendous burden for manufacturers to take the corrective actions on the equipment in the field (stores and warehouses nationwide). We strongly oppose to the idea if it is the FCC's real intention.

As mentioned in Item 1, we understand that there must be some cases which requires the said action no matter how much it costs manufacturers. But, we believe that this is not the case. We prefer the description used in Sec. 68. 6 that is much clearly stated.

4. Life time of the Products:

Under the fast changing world, we are experiencing in the USA, the life of product has become shorter and shorter everyday. This is another reason why we request the new date "January 1, 2001". We expect to see that majority of the models will be terminated by that time.

5. Special Consideration for the Asian economy:

As you are aware, most of the telecom manufacturers in Asia have been facing financial difficulties. Ricoh is not an exception. It will be greatly appreciated if FCC would take the situation into consideration when making the decisions.

Should you have any questions, please feel free to contact me at 408-954-5393.

Very truly yours,



Yoshio Watanabe
Quality System Manager

Systems R & D Group
Ricoh Corporation

3001 Orchard Parkway
San Jose, CA 95134-2088

cc: K. Sato, Ricoh Co., Ltd. (Japan)

RECEIVED

APR - 2 1999


DOCKET FILE COPY ORIGINAL

Federal Communications Commission
Office of Secretary

Received

MAR 1 8 1999

Common Carrier Bureau
Network Service Division
Office of the Chief

 Darcus H Adams Jr
03/12/99 02:27 PM

To: ecfs@fcc.gov
cc:
From: Darcus H Adams Jr/Raleigh/IBM@IBMUS
Subject: File No. NSD-L-99-13

Importance: urgent

Public Notice DA 99-342

File No. NSD-L-99-13

CC DOCKET: 96-28

FCC 68.2(j)(3), contains misleading and confusing information. IBM comments follow:

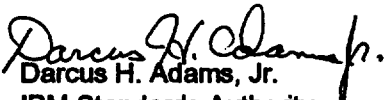
a) We believe the April 20, 1997, date is in error and should actually be April 20, 1998, per DA 98-213.

b) We believe that the May 19, 1999, date does not allow for a reasonable amount of time to replace products currently in the sales and distribution system, that were registered prior to April 20, 1998, with products complying with the rule changes indicated in DA 98-213. Recall and destruction of these products will create a significant financial burden to IBM, as well as logistical problems for our distributors, resellers and customers.

We request that the text in this section be revised to state the following:

"New installations of terminal equipment, including premises wiring and protective apparatus (if any) may be installed (including additions to existing systems) if manufactured by May 19, 1999, without registration of any terminal equipment involved, provided that the terminal equipment is of a type directly connected to the network as of April 20, 1998."

This revision would allow products currently in the distribution system to be sold and installed in accordance with the rules in effect prior to April 20, 1998. We agree, if modified, such equipment must be registered in accordance with the rules.


Darcus H. Adams, Jr.
IBM Standards Authority
PO Box 12195, Dept YF7A, Bldg 306
Research Triangle Park, NC 27709
Telephone: 919-543-6483
Fax: 919-254-7778
e-mail: darcus@us.ibm.com

No. of Copies rec'd
List A B C D E

2

March 26, 1999

RECEIVED

APR 2 1999

Federal Communications Commission
Office of Secretary

Ms. Magalie Roman Salas
Secretary, Federal Communications Commission
Room 222
1919 M Street NW
Washington, D.C. 20554

File DOCKET: 96-28

Re: File No NSD-L-99-13, Common Carrier Bureau Seeking Comments on
Compliance Deadline for Harmonization Order Regulations (DA 99-342)

Dear Ms. Salas:

ACIL¹ hereby submits these Reply Comments to the Comments filed in response to the FCC's Public Notice released February 17, 1999, in the matter of the Common Carrier Bureau seeking Comments on the compliance deadline for Harmonization Order Regulations (DA 99-342).

It is ACIL's intention to clarify the following points:

ACIL is a trade association of test laboratories, both independent laboratories and manufacturer's laboratories. A number of our members work closely with the manufacturers in helping them obtain FCC registration. Although it was ACIL's primary objective to voice our concerns as test laboratories on the practical burdens of having to maintain two versions of FCC Part 68 *for an*

¹ ACIL is the national trade association representing independent, commercial scientific and engineering firms. Its members are professional services firms engaged in testing, product certification, consulting, and research and development. Affiliated membership is available to manufacturer's laboratories, consultants, and suppliers to the industry. The association was founded in 1937 as the American Council of Commercial Laboratories. It was later incorporated in the State of New York as the American Council of Independent Laboratories. Today, the association simply goes by its acronym, ACIL.

indefinite period of time, it was also our objective to comment on the burdens of redesigning products to meet the Surge Type B of the Harmonized Part 68, as communicated to test laboratories by the manufacturers, and as communicated to the FCC Part 68 Staff at the Common Carrier Bureau by the manufacturers; this is evidenced by the Bureau's allusion to the "numerous queries from manufacturers" in the Public Notice². This was the reason for ACIL's proposal in our Comments for an absolute cut-over date, but also for an additional time period to accommodate the manufacturers.

There seems to be some confusion and misunderstanding regarding the implications of grandfathering. ACIL would offer these clarifications on the issue:

1. There is a great deal of concern in the industry regarding the term "re-registration" of products. The main concern is with regard to the compliance with the new Surge Type B of the Harmonized Rules³. In the context of the Harmonized Rules, it means that products, already registered under Part 68, but continuing to be manufactured on an on-going basis for installation and connection to the network, will have to be modified to be brought into compliance with the Surge Type B of the Harmonized Rules. The products, once modified, will have to be submitted to the FCC via a modification filing, notifying the FCC of the changes. The products will continue to carry their current registration number and there is no additional burden insofar as product labeling, user's manual changes or record keeping corrections. Furthermore, those products that already demonstrate compliance with the Surge Type B due to inherent designs would not need any modification; thus they would not need to be re-submitted to the FCC.

² *Common Carrier Bureau Seeking Comment on Compliance Deadline for Harmonization Regulations*, Public Notice, DA 99-342, File No. NSD-L-99-13 ("Public Notice").

³ Amendment of Part 68 of the Commissions Rules, *Report and Order*, 12 FCC Rcd 19218 (1997), *Errata*, DA 98-277 (rel. Feb. 12, 1998), Section 68.302(c).

2. The products that are already installed and connected in the field do not need to go through the modification filing. Only the products that are continuing to be manufactured and then installed after the cut-over date would have to be brought into compliance. Thus, there is no "recall" of products already in the field.
3. ACIL suggested in our comments that a cut-over date be made absolute, and proposed a date of 36 months from the time the rules became effective, which is roughly double the time traditionally allowed for grandfathering of equipment under Part 68. This extra time period is intended, as stated in ACIL comments⁴, to help lighten the manufacturers' burden since for the first time in Part 68 history, some requirements of Part 68 became more stringent, notably the application of the Surge Type B.

Bell South's comments overwhelmingly support ACIL's proposal of an absolute cut-over date after which all products must be compliant with the Harmonized Rules.⁵ Whether this date is to be the original date of May 19, 1999 or some other date will be dependent upon the Commission's decision in balancing the burdens on the carriers, on one side, and on the manufacturers on the other side.

ACIL would be willing to support the simplification of the grandfathering clause as proposed by Bell South in its Comments,⁶ however, with the actual cut-over date left to the Commission's discretion. ACIL would still request that the grandfathering clause be renumbered as 68.2(m) for the reasons stated in our Comments⁷. Furthermore, our Comments propose a definition of the term

⁴ ACIL's comments on page 3.

⁵ Bell South's Comments on page 2.

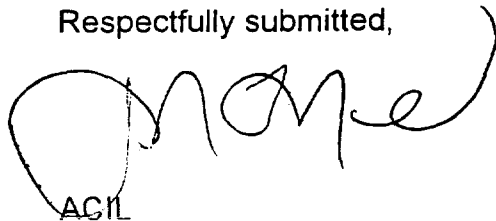
⁶ Id., page 3.

⁷ ACIL's Comments on page 4.

"modified", in the context of Part 68 compliance, which we believe is essential in defining the scope of products falling under the grandfathering clause⁸.

In conclusion, ACIL wishes to once more emphasize the need for an absolute cut-over date in order to avoid having two versions of FCC Part 68 being carried forward for an indefinite time period.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. O'Neil", written over a circular stamp that contains the text "ACIL".

Joseph O'Neil

Director

⁸ Id.

CERTIFICATE OF SERVICE

I, Joseph O'Neil, do hereby certify that a copy of the Comments of ACIL has been served on the parties listed below, via first class mail, postage prepaid, on this 26th day of March.

By: _____

* Ms. Maggie Roman Salas
Office of the Secretary
Federal Communications
Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

* Mr. Al McCloud
Network Services Division
Federal Communications
Commission
2000 M Street, NW, Suite 235
Washington, DC 20554

* International Transcription Service
1231 20th Street, NW
Washington, DC 20554

M. Robert Sutherland
Theodore R. Kingsley
Its Attorneys
BellSouth Corporation
1155 Peachtree Street, NE
Atlanta, GA 30309

Diane Law Hsu, Esq.
Lucent Technologies
1825 Eye Street, NW, Suite 1000
Washington, DC 20006

Mr. Richard Mullen
Matsushita Electric Corp. of America
Product Safety and Compliance
Division
1 Panasonic Way, 4B-8
Secaucus, NJ 07094

Ms. Roberta Breeden
Telecommunications Industry Association
2500 Wilson Blvd., Suite 300
Arlington, VA 22201

* Via hand delivered
